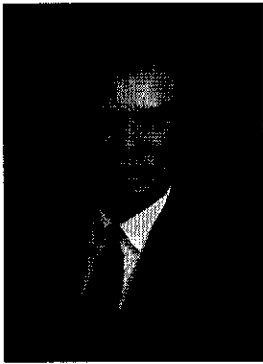


**Town of Oshkosh**

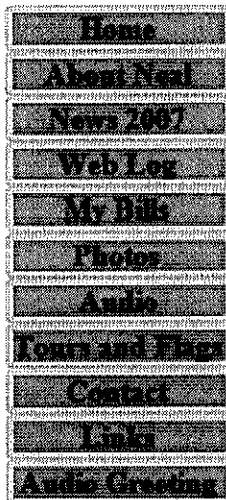
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**From:** "marge pearce" <margep@powercom.net>  
**To:** <Undisclosed-Recipient:;>  
**Sent:** Saturday, April 26, 2008 7:52 AM  
**Subject:** SEn Kedzie re shoreland zoning[eb.m.bd]



# Neal Kedzie

Wisconsin State Senator - 11th District



## **New Rules May Impact Lake Property Owners**

Just when many believed that changes to the state's shoreland zoning rules had been shelved for another year, the Department of Natural Resources (DNR) delivered a message recently that changes are coming, and perhaps coming very soon. In our area of southeast Wisconsin, which is rich with lakes and lake property, these proposed revisions will affect current zoning and use practices for people who own waterfront property.

The changes to Administrative Rule NR 115 have been in the works for more than five years receiving approximately 50,000 comments to date from concerned landowners who fear the rules may be too costly, too restrictive, and too inflexible. To be certain, there has been no shortage of public input on these controversial rule changes.

NR 115 sets minimum standards for zoning of Wisconsin's shorelands, which refers to lands within 1000 feet of a lake, pond, or flowage, land within 300 feet of a river or stream, or land in the floodplain of a river or stream. The proposed rule change may greatly impact our area due to the large concentration of lakes, from the Lake Country chain in Waukesha County to the Lake Geneva area in Walworth County, and all points in between.

Shoreland zoning standards were originally drafted in the 1960's and have never been revised or updated. The DNR believes changes are in order, as the type and the amount of development along Wisconsin's shores has changed dramatically in the last forty years. Whether these changes are necessary or not, I believe a balance between protecting the environment and the rights of property owners must be maintained.

According to the DNR, revisions of the rule include, but are not limited to, vegetation management in the primary shoreland buffer; regulation of non-conforming structures; requirements for counties to set standards for multi-unit developments, mobile home parks, and campgrounds; exemptions for certain activities from the shoreland setback; shoreland vegetation standards; and impervious surface standards.

The intent of those revisions are to decrease the number of variances granted by counties, allowing certain activities to be acceptable with a simple administrative permit by the county.

During the second round of statewide public hearings last summer, the DNR received 8,945 comments regarding various aspects of the rule from 2,381 individuals. The agency used some of those comments to fashion the new proposed rule, which will be advanced to the Natural Resources Board for its review in the next month or so. The Board could choose to revise the rule further, approve it as is, or reject it entirely.

Regardless of the action by the Board, the rule may not be adopted until it receives approval by the Legislature through the Senate and Assembly Natural Resources committees. Even though the legislative session has ended, administrative rules such as this remain under the watchful eye of the appropriate legislative committees. As the ranking Minority member of the Senate Natural Resources Committee, I believe this particular rule will require the proper vetting by both committees.

My concern, though, is that this rule may appear before the committees during the early summer months, when most of the public is focused on family vacations and other related activities. This could distract them from being aware that NR 115 is being considered. I will continue to monitor this rule as it progresses and I encourage the general public to share their opinions with legislators and agency officials.

As stated previously, any rule revision of this magnitude must strike a

balance between the rights of property owners and the need to protect water quality, fish and wildlife habitat, as well as the scenic beauty of our streams and lakes. More than likely, if the Legislature grants its approval to these rule changes, the new rule may be in place for decades to come. Thus, we have an obligation to ensure it is the correct public policy for Wisconsin. If you would like more information regarding NR 115, you may visit the DNR Web page at:  
<http://dnr.wi.gov/org/water/wm/dsfm/shore/news.htm> or contact my office at anytime.

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*Sen. Kedzie can be reached in Madison at P.O. Box 7882, Madison, WI 53707-7882 or by calling toll-free 1 (800) 578-1457. He may be reached in the district at (262) 742-2025 or through a link on the State of Wisconsin Web site at [www.wisconsin.gov](http://www.wisconsin.gov).*